

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL ELLIOT KWABENA OKYERE
DARKO (P/K/A “OBRAFOUR”),

Plaintiff,

v.

AUBREY DRAKE GRAHAM (P/K/A
“DRAKE”), ALEXANDER LUSTIG,
CHRISTIAN BEAU ANASTASIOU ASTROP,
DIAMANTE ANTHONY BLACKMON,
JOHANNES KLAHR, RICHARD ZASTENKER,
WARNER-TAMERLANE PUBLISHING CORP.,
WARNER MUSIC GROUP CORP., UMG
RECORDINGS, INC., UNIVERSAL MUSIC
PUBLISHING INC., UNIVERSAL MUSIC
PUBLISHING AB, UNIVERSAL SONGS OF
POLYGRAM INTERNATIONAL INC.,
BREMER MUSIC GROUP AB, REPUBLIC
RECORDS, INC., and OVO SOUND CA,

Defendants.

Civil Action No. 1:23-cv-03232-MMG

**AMENDED NOTICE OF MOTION
OF DEFENDANTS UMG
RECORDINGS, INC., UNIVERSAL
MUSIC PUBLISHING, INC.,
UNIVERSAL SONGS OF
POLYGRAM INTERNATIONAL
INC., UNIVERSAL MUSIC
PUBLISHING AB, BREMER MUSIC
GROUP AB, WARNER MUSIC
GROUP CORP., WARNER-
TAMERLANE PUBLISHING
CORP., AUBREY DRAKE
GRAHAM (P/K/A DRAKE),
JOHANNES KLAHR, AND
RICHARD ZASTENKER TO
DISMISS PLAINTIFF’S FIRST
AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, pursuant to the Court’s Order of March 12, 2024 granting the request of Defendants UMG Recordings, Inc., Universal Music Publishing, Inc., Universal Songs of Polygram International Inc., Universal Music Publishing AB, Bremer Music Group AB, Warner Music Group Corp., Warner-Tamerlane Publishing Corp., Aubrey Drake Graham (p/k/a Drake), Johannes Klahr, and Richard Zastenker (collectively, “Defendants”) to supplement their motion to dismiss (ECF 120), upon the Memorandum of Law (ECF 93) and Declaration of Bradley J. Mullins, dated January 10, 2024 (ECF 94) and all exhibits thereto, and the accompanying Supplemental Memorandum of Law and Supplemental Declaration of Bradley J. Mullins, dated March 29, 2024 and all exhibits thereto, and upon all prior pleadings and filings in this action, Defendants, through their attorneys, Mitchell Silberberg & Knupp LLP, will move

this Court at the United States District Court, Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, Room 906, New York, NY 10007, before the Honorable Margaret M. Garnett, on a date and at a time to be designated by the Court, for an Order dismissing the First Amended Complaint with prejudice in its entirety pursuant to Fed. R. Civ. Proc. 12(b)(1), 12(b)(6), and/or 12(b)(7), or in the alternative, holding that Plaintiff is not entitled to statutory damages or attorneys' fees under any circumstance; and granting such other and further relief as the Court deems just and proper.

DATED: New York, New York
March 29, 2024

MITCHELL SILBERBERG & KNUPP LLP

By: /s/ Christine Lepera

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